



# City of Chicago



O2014-8838

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	11/5/2014
<b>Sponsor(s):</b>	Emanuel (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Acquisition of property at 2023 E 71st St, 2101 E. 71st St, 2100 E 72nd St, 7131 S Clyde Ave and 7153 S Jeffery Ave
<b>Committee(s) Assignment:</b>	Committee on Housing and Real Estate

HSG.



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

November 5, 2014

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith, together with Alderman Hairston, an ordinance authorizing an acquisition of property for 71<sup>st</sup> / Jeffery.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor



1. [Illegible text]

## **ORDINANCE**

**WHEREAS**, the City of Chicago ("City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, pursuant to an ordinance adopted by the City Council of the City ("City Council") on October 7, 1998, and published at pages 78137 and 78139 through 78211 of the Journal of the Proceedings of the City Council of the City of Chicago ("Journal") of such date, a certain redevelopment plan and project (the "Plan") for the 71<sup>st</sup> and Stony Island Tax Increment Financing Redevelopment Project Area (the "Area") was approved pursuant to the Illinois Tax Increment Allocation Redevelopment Act, as amended, 65 ILCS 5/11-74.4-1 et seq. (the "Act"); and

**WHEREAS**, pursuant to an ordinance adopted by the City Council on October 7, 1998, and published at pages 78210 and 78212 through 78227 of the Journal of such date, the Area was designated as a redevelopment project area pursuant to the Act; and

**WHEREAS**, pursuant to an ordinance adopted by the City Council on October 7, 1998, and published at pages 78226 and 78228 through 78242 of the Journal of such date, tax increment allocation financing was adopted pursuant to the Act as a means of financing certain Area redevelopment project costs (as defined in the Act) incurred pursuant to the Plan; and

**WHEREAS**, the Plan and the use of tax increment financing provide a mechanism to support new growth through leveraging private investment, and helping to finance land acquisition, demolition, remediation, site preparation and infrastructure for new development in the Area; and

**WHEREAS**, the City Council finds that it is useful, necessary and desirable to acquire the parcels of property located in the Area identified on **Exhibit A** attached hereto and made a part hereof (the "Acquisition Parcels") in order to achieve the objectives of the Plan, which include, among other things: reducing or eliminating those conditions that qualify the Area as a conservation area; and facilitating assembly, preparation, and marketing of improved and vacant sites for large-scale commercial, retail, and limited residential redevelopment, as well as supporting off-street parking areas; and

**WHEREAS**, by Resolution No. 14-CDC-42, adopted by the Community Development Commission of the City of Chicago ("Commission") on October 14, 2014, the Commission recommended the acquisition of the Acquisition Parcels; and

**WHEREAS**, the City Council finds such acquisitions to be for the same purposes as those set forth in Divisions 74.2 and 74.4 of the Illinois Municipal Code; and

**WHEREAS**, the City Council further finds that such acquisition and exercise of power of eminent domain shall be in furtherance of the Plan, which was first adopted in 1998 in accordance with the Act, as recited above, and was in existence prior to April 15, 2006; and

**WHEREAS**, the City Council further finds that prior to April 15, 2006, the Plan included an estimated \$7,000,000 in property assembly costs as a budget line item in Table 2 of the Plan (and \$40,000,000 in total redevelopment project costs), and also described property assembly

as a part of the redevelopment project for the Area, including in Sections 1 ("Executive Summary"), 4 ("Redevelopment Project & Plan") and 5 ("Financial Plan"), of the Plan; and

**WHEREAS**, the City Council further finds that the Acquisition Parcels were included in the Area prior to April 15, 2006, that there has been no extension in the completion date of the Plan and that the Acquisition Parcels are not located in an industrial park conservation area; **now, therefore,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The foregoing recitals, findings and statements of fact are hereby adopted as the findings of the City Council.

**SECTION 2.** It is hereby determined, declared and found that it is useful, desirable and necessary that the City of Chicago acquire the Acquisition Parcels for public purposes and for purposes of implementing the objectives of the Plan.

**SECTION 3.** The Corporation Counsel is authorized to negotiate with the owner(s) of the Acquisition Parcels for the purchase of such Acquisition Parcels. If the Corporation Counsel and the owner of an Acquisition Parcel are able to agree on the terms of the purchase, the Corporation Counsel is authorized to purchase the Acquisition Parcel on behalf of the City for the agreed price. If the Corporation Counsel is unable to agree with the owner(s) of the Acquisition Parcels on the terms of the purchase, or if the owner(s) is or are incapable of entering into such a transaction with the City, or if the owner(s) cannot be located, then the Corporation Counsel is authorized to institute and prosecute condemnation proceedings on behalf of the City for the purpose of acquiring fee simple title to the Acquisition Parcels under the City's power of eminent domain. Such acquisition efforts shall commence with respect to improved property within four (4) years of the date of the publication of this ordinance, and with respect to vacant lots within ten (10) years of the date of the publication of this ordinance. Commencement shall be deemed to have occurred within such periods upon the City's delivery of an offer letter to the owner(s) of the subject Acquisition Parcel(s). The above grant of authority shall be construed to authorize acquisition of fewer than all the Acquisition Parcels and shall also be construed to authorize the acquisition of less than all of any particular Acquisition Parcel.

**SECTION 4.** The Commissioner of the Department of Planning and Development is authorized to execute such documents as may be necessary to implement the provisions of this ordinance, subject to the approval of the Corporation Counsel.

**SECTION 5.** If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

**SECTION 6.** All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

**SECTION 7.** This ordinance shall be effective upon its passage and approval.

**EXHIBIT A**

**ACQUISITION PARCELS**

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

	<b>PIN</b>	<b>ADDRESS</b>	<b>VACANT OR IMPROVED</b>
1.	20-25-200-034-0000	7153 South Jeffrey Avenue	Improved
2.	20-25-200-036-0000	2023 East 71 <sup>st</sup> Street	Improved
3.	20-25-200-037-0000	2101 East 71 <sup>st</sup> Street	Improved
4.	20-25-201-033-0000	2100 East 72 <sup>nd</sup> Street	Improved
5.	20-25-201-035-0000	7131 South Clyde Avenue	Improved